



ZONING ADMINISTRATOR
NOTICE OF DECISION

Date: January 31, 2014
Applicant: National Sign and Marketing
Case No.: DRC-13-29
Address: 1100 Broadway
Project Planner: Caroline Young

Notice is hereby given that on January 31, 2014, the Zoning Administrator considered Design Review Permit (DRC) application (DRC-13-29), filed by National Sign and Marketing ("Applicant"). The Applicant requests DRC approval to construct architectural improvements to the building exterior and signage for the existing Carl's Jr. Restaurant. The Project is located at 1100 Broadway ("Project Site") and is owned by Price Reit Inc. ("Property Owner"). The Project Site is zoned Central Commercial (CC) with a General Plan designation of Commercial Retail (CR). The Project is more specifically described as follows:

The Applicant proposes to construct architectural improvements to the building exterior and signage for the existing Carl's Jr. Restaurant. A new roof tower element with proposed signage will be added along the south and east elevation. The existing roof will be replaced with a new standing seam roof. The exterior of the building will be repainted with a variety of light and dark brown colors with a red colored trim. No changes will occur to the site layout.

Planning Staff has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the Project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. No further environmental review is necessary.

The proposed project is consistent with the development regulations of the Chula Vista Municipal Code, Design Manual, and Landscape Manual. The Zoning Administrator, under the provisions of Section 19.14.582.G of the Chula Vista Municipal Code, has conditionally approved the project subject to the following conditions:

- I The following shall be accomplished to the satisfaction of the Development Services Director, prior to issuance of building permits, unless otherwise specified:

Development Services Department:

1. Prior to approval by the City of Chula Vista for the use of the subject property in reliance on this approval, the Applicant/Representative and Property Owner shall

execute this document by making a true copy of this letter of conditional approval and signing both this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Representative and Property Owner have each read, understood and agreed to the conditions contained herein, and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 Days of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the project, and corresponding application for building/grading permits and/or business license, be held in abeyance without approval.

Signature of Applicant/Authorized Representative

Date

Signature of Property Owner

Date

2. Prior to, or in conjunction with the issuance of the first building permit, pay all applicable fees, including any unpaid balances of permit processing fees for deposit account DQ-1761.
3. The colors and materials specified on the building plans must be consistent with the colors and materials shown on the site plan and materials board approved by the Zoning Administrator on January 31, 2014.
4. A graffiti resistant treatment shall be specified for all wall and building surfaces, and noted on any building and wall plans. Additionally, the project shall conform to CVMC Section 9.20 055 regarding graffiti control. The applicant shall remove all graffiti on a regular basis. The Applicant shall place a note to this effect on the building permit plans.
5. All roof appurtenances, including air conditioners and other roof mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets as required by the Development Services Director. Such screening shall be architecturally integrated with the building design and constructed to the satisfaction of the Development Services Director.
6. All ground mounted utility appurtenances such as transformers, AC condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping to the satisfaction of the Director of Development Services.
7. The Applicant shall obtain approval of a sign permit for each sign by the Development Services Department. Signs shall comply with all applicable requirements of the Municipal Code.

Land Development Division/Landscape Architecture Division:

8. Prior to obtaining any Building Permit for the Project, if project's total on-site improvements exceed Engineering Threshold of (currently: \$52,070.00), per CVMC, Section 12.24.020, then the Applicant shall be required to obtain a Construction Permit from the Land Development Section of the Department of Development Services. The On-Site Improvements Trigger for Installation of Public Improvements is adjusted on an annual basis on July 1 based on the Engineer Construction Cost Index. A Construction Permit is required to perform the following work in the City's right-of-way, which may include, but is not limited to:
 - a. Removal and replacement of any broken or damaged curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions
 - b. Removal and replacement of existing pedestrian ramp on the corner of Naples and Broadway per Chula Vista Construction Standard CVCS-25. Current pedestrian ramp shall be replaced, if it does not meet the City of Chula Vista Design Standards/ADA Standards, or if existing pedestrian ramp is cracked or broken.
9. All existing planting and irrigation shall be protected in place, and maintained in a healthy and efficacious condition, respectively. Any planting and/or irrigation that are damaged or destroyed due to demolition and construction shall, at a minimum, be replaced in like kind to the established planting and irrigation system design.

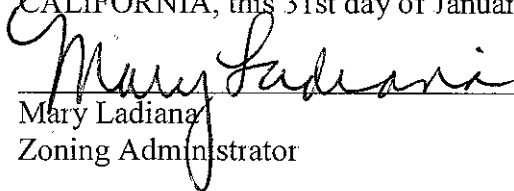
II. The following on-going conditions shall apply to the Project as long as it relies upon this approval.

1. The Applicant shall maintain the Project in accordance with the approved plans for DRC-13-29, approved on January 31, 2014, which include site plan and architectural elevations on file in the Development Planning Division, the conditions contained herein, and Title 19.
2. Approval of this request shall not waive compliance with all sections of Title 19 of the Municipal Code, and all other applicable City Ordinances in effect at the time of building permit issuance.
3. The Applicant/Representative and Property Owner shall and does hereby agree to indemnify, protect, defend and hold harmless City, its City Council members, officers, employees and representatives, from and against any and all liabilities, losses, damages, demands, claims and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly,

from (a) City's approval and issuance of this permit, (b) City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated herein, and Applicant/operator shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant/Representative and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any and all of Applicant/Operator's successors and assigns.

4. This Design Review Permit shall become void and ineffective if not utilized within thirty-six (36) months from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code, unless an extension application is submitted within 30-days of the expiration date of January 31, 2017.

APPROVED BY ZONING ADMINISTRATOR OF THE CITY OF CHULA VISTA,
CALIFORNIA, this 31st day of January 2014.



Mary Ladiana
Zoning Administrator